

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ARTHUR FRANTZ,

Plaintiff,

vs.

Case No. 04-CV-72904

HON. GEORGE CARAM STEEH

CITY OF PONTIAC, et al.,

Defendants.

ORDER GRANTING DEFENDANT UNION'S MOTION TO VACATE JUDGMENT,  
PURSUANT TO FED. R.CIV.P. 59(e), OR IN THE ALTERNATIVE, FOR RELIEF FROM  
JUDGMENT, PURSUANT TO FED. R.CIV.P. 60(b)(1)

At the conclusion of the court's most recent conference in this case, counsel for defendant Union apprised the court and counsel for the City of Pontiac ("City") that he intended to seek relief from a recent ruling issued by this court, in which it granted summary judgment to the City on its claims brought against the Union. The Union had not responded to the City's motion prior to the court's ruling on the issue.

As discussed at the conference, the court will allow full briefing on the issues presented in the City's motion. The Union has submitted its response brief. The court's order granting the City's summary judgment motion (D/E 80) is accordingly vacated to

the extent it granted the City's motion, and the court will issue a new ruling on those issues following receipt of the City's reply brief.

IT IS SO ORDERED.

Dated: October 13, 2006

s/George Caram Steeh  
GEORGE CARAM STEEH  
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on October 13, 2006, by electronic and/or ordinary mail.

s/Marcia Beauchemin  
Deputy Clerk